

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

ELIJAH WHALEY,

Plaintiff,

Case No. 3:22-cv-356

vs.

EXPERIAN INFORMATION
SOLUTIONS, INC.,

Defendant.

District Judge Michael J. Newman
Magistrate Judge Caroline H. Gentry

**ORDER: (1) RENEWING THE COURT'S PREVIOUS ORDER GRANTING
DEFENDANT'S MOTION TO DISMISS (Doc. No. 26); (2) DISMISSING THIS CASE
WITH PREJUDICE; AND (3) TERMINATING THIS CASE ON THE DOCKET**

This *pro se*¹ civil case appears to assert violations of the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. § 1681. In a previous order (Doc. No. 26), the Court granted Defendant’s motion to dismiss (Doc. No. 17), dismissed Plaintiff’s complaint without prejudice, and provided Plaintiff leave to file an amended complaint within 10 days of that order. *See* Doc. No. 26 at PageID 556-57. The Court further advised Plaintiff that his amended complaint should not exceed 20 pages.² *Id.* at 557.

Plaintiff has failed to file an amended complaint within 10 days of the previous order. Because Plaintiff has not complied with the Court’s order, the Court renews its order granting

¹ The Court accepts a *pro se* plaintiff’s allegations as true and “construe[s] filings by *pro se* litigants liberally.” *Owens v. Keeling*, 461 F.3d 763, 776 (6th Cir. 2006) (citing *Spotts v. United States*, 429 F.3d 248, 250 (6th Cir. 2005)). However, while *pro se* pleadings are “liberally construed” and “held to less stringent standards than formal pleadings drafted by lawyers,” *Erickson v. Pardus*, 551 U.S. 89, 94 (2007) (per curiam), *pro se* plaintiffs must still satisfy basic pleading requirements. *See Hill v. Lappin*, 630 F.3d 468, 470–71 (6th Cir. 2010).

² Plaintiff’s initial complaint is 84 pages long and, including attachments, spans 144 pages. *See* Doc. Nos. 5, 5-1, 26.

Defendant's motion to dismiss (Doc. No. 26) and **DISMISSES THIS CASE WITH PREJUDICE**. The Court therefore **TERMINATES** this case on the docket.

IT IS SO ORDERED.

November 27, 2023

s/Michael J. Newman

Hon. Michael J. Newman
United States District Judge